
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DOUGLAS R. MADSEN,

Defendant.

**ORDER and
MEMORANDUM DECISION**

Case No. 2:09-cr-808 CW

Judge Clark Waddoups

Now before the court is Defendant Douglas R. Madsen's motion to continue the trial in this matter presently set to begin on January 9, 2012. As the United States points out in opposition to Mr. Madsen's motion, Mr. Madsen did not assert any specific factual basis that would justify an "ends of justice" continuance under 18 U.S.C. § 3161(h)(7)(A). Instead, Mr. Madsen states little more than that he requires more time to prepare for trial. Under *United States v. Toombs*, 574 F.3d 1262 (10th Cir. 2009), such generalized concerns do not support a continuance of a criminal trial. The court further notes that when Mr. Madsen made the decision to represent himself, he represented to the court that a trial date of January 9 would give him adequate time to prepare. Accordingly, Mr. Madsen's motion is DENIED.

Note that this denial is without prejudice. If Mr. Madsen makes another motion that is supported by specific factual bases, the court will consider it.

DATED this 16th day of December, 2011

BY THE COURT:



Clark Waddoups
United States District Judge